

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

## ORDER

Before the Court are the parties' objections to deposition designations. The Court rules as follows:

**I. Walter Friesen, Dave Dormire, and Chad Hovis (Doc. Nos. 152 and 155)**

Both sides have designated deposition testimony of these witnesses. As it appears that these witnesses are appearing in person at trial, the Court will rule any objections to the use of their deposition testimony during trial.

**II. Plaintiff's Response to Defendants' Deposition Designation Objections and Counter Designations (Doc. No. 155)**

## Pltf's SPECIFIC OBJECTIONS TO MARTIEZ DAVIS'S TESTIMONY

## **PROPOSED DESIGNATION**

## **OBJECTION**

19:1-25, 20:1-25, and 21:1

Relevance, and to the extent the criminal convictions have probative value, the prejudicial effect outweighs such probative value (FRE 403 and 609)

## RULING: Overruled.

**Pltf's SPECIFIC OBJECTIONS TO SHANNON DIXON'S TESTIMONY**

<b><u>PROPOSED DESIGNATION</u></b>	<b><u>OBJECTION</u></b>
20:21-21:1	Lack of foundation, speculation  RULING: <b><u>Overruled.</u></b>
21:7-21:15	Lack of foundation, speculation, non-responsive to question  RULING: <b><u>Sustained.</u></b>
21:16-22:19	Relevance, and to the extent the criminal convictions have probative value, the prejudicial effect outweighs such probative value. (FRE 403 and 609)  RULING: <b><u>Overruled.</u></b>

**IT IS SO ORDERED.**

Date: 10/13/10  
Kansas City, Missouri

**S/ FERNANDO J. GAITAN, JR.**  
Fernando J. Gaitan, Jr.  
Chief United States District Judge